



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

LANCE CHEBIN - NACMIAS LAW FIRM 592 PACIFIC STREET NEW YORK, NY 11217	Summons No: 000819169Z et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- PENSKE TRUCK LEASING CORPORATION Hearing Date: 11/06/2024 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$440.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000819169Z	Sustained	11/17/2023	150 EAST 41 STREET Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA1E	24 -163	Sustained	\$440.00

Findings of Fact & Conclusions of Law

The NYC Department of Environmental Protection was represented by senior inspector Michael Grosso at a telephone hearing on November 6, 2024. Registered representative Lance Chebin appeared on behalf of Respondent PENSKE LEASING AND RENTAL CORPORATION. Respondent's representative waived the use of a translator, the assistance of counsel, a formal reading of the summons and the presence of the Issuing Officer.

The summons alleges a violation of NYC Administrative Code 24-163: idling motor vehicle engine for more than 3 minutes in that a citizen observed a truck with IA license plate #3264457 idling for more than three minutes on 11/17/23 from 8:29 PM - 8:32 PM at 150 E 41st Street. This is a first second offense and prior summons listed is 000771362K.

Petitioner relied on the sworn narrative. No additional evidence was submitted.

Respondent's representative denied the allegations and offered no rebuttal. No additional evidence was submitted.

I credit the sworn statement of the issuing officer and Petitioner established a violation. Respondent failed to offer any rebuttal and present a valid legal defense.

Therefore, the summons is sustained, and the penalty is imposed as a second offense.



11/07/2024

11/07/2024

Raul Quezada, Hearing Officer

Date